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JUN 14 2004

Michael N. Milby, Clerk of Court

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

In re ENRON CORPORATION SECURITIES
LITIGATION

§ Civil Action No. H-01-3624
§ (Consolidated)

§

§ CLASS ACTION

This Document Relates To:

MARK NEWBY, et al., Individually and On
Behalf of All Others Similarly Situated,

Plaintiffs,

vs.

ENRON CORP., et al.,

Defendants.

THE REGENTS OF THE UNIVERSITY OF
CALIFORNIA, et al., Individually and On Behalf
of All Others Similarly Situated,

Plaintiffs,

vs.

KENNETH L. LAY, et al.,

Defendants.

[Caption continued on next page]

**LEAD PLAINTIFF'S OPPOSITION TO CONSECO'S CROSS MOTION FOR
LEAVE TO GIVE NOTICE TO PURCHASERS OF YOSEMITE II, STERLING,
AND EURO CITIGROUP CLNS
(DOCKET NO. 2173)**

2202

§ Civil Action No. H-03-CV-2240

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§ 87(2)(b)

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Lead Plaintiff opposes Consecos Cross Motion for Leave to Give Notice to Purchasers of Yosemite II, Sterling, and Euro Citigroup CLNs for the reasons detailed in Lead Plaintiff's Opposition to Consecos Motion for Reconsideration of the Courts June 1, 2004 Order Granting Lead Plaintiff Leave to Give Notice Pursuant to Rule 23(d)(2) (Docket No. 2184), Lead Plaintiff's Surreply to Consecos Annuity Assurance Company's Motion for Appointment as Lead Plaintiff in H-03-CV-2240 (Consecos Docket No. 8) and Lead Plaintiff's Opposition to Consecos Annuity Assurance Company's Motion for Appointment as Lead Plaintiff in H-03-CV-2240 (Consecos Docket No. 13).

DATED: June 14, 2004

Respectfully submitted,

LERACH COUGHLIN STOIA  
& ROBBINS LLP  
WILLIAM S. LERACH  
DARREN J. ROBBINS  
HELEN J. HODGES  
BYRON S. GEORGIOU  
JAMES I. JACONETTE  
MICHELLE M. CICCARELLI  
JAMES R. HAIL  
ANNE L. BOX  
JOHN A. LOWTHER  
ALEXANDRA S. BERNAY  
MATTHEW P. SIBEN  
ROBERT R. HENSSLER, JR.

  
HELEN J. HODGES   
(w/ permission)

401 B Street, Suite 1700  
San Diego, CA 92101  
Telephone: 619/231-1058

LERACH COUGHLIN STOIA  
& ROBBINS LLP  
REGINA M. AMES  
355 South Grand Avenue, Suite 4170  
Los Angeles, CA 90071  
Telephone: 213/617-9007  
213/617-9185 (fax)

LERACH COUGHLIN STOIA  
& ROBBINS LLP  
G. PAUL HOWES  
JERRILYN HARDAWAY  
Texas Bar No. 00788770  
Federal I.D. No. 30964  
1111 Bagby, Suite 4850  
Houston, TX 77002  
Telephone: 713/571-0911

**Lead Counsel for Plaintiffs**

SCHWARTZ, JUNELL, GREENBERG  
& OATHOUT, LLP  
ROGER B. GREENBERG  
State Bar No. 08390000  
Federal I.D. No. 3932



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ROGER B. GREENBERG

Two Houston Center  
909 Fannin, Suite 2000  
Houston, TX 77010  
Telephone: 713/752-0017

HOEFFNER & BILEK, LLP  
THOMAS E. BILEK  
Federal Bar No. 9338  
State Bar No. 02313525  
440 Louisiana, Suite 720  
Houston, TX 77002  
Telephone: 713/227-7720

**Attorneys in Charge**

BERGER & MONTAGUE, P.C.  
SHERRIE R. SAVETT  
1622 Locust Street  
Philadelphia, PA 19103  
Telephone: 215/875-3000

**Attorneys for Staro Asset Management**

WOLF POPPER LLP  
ROBERT C. FINKEL  
845 Third Avenue  
New York, NY 10022  
Telephone: 212/759-4600

**Attorneys for Nathaniel Pulsifer**

SCOTT + SCOTT, LLC  
DAVID R. SCOTT  
NEIL ROTHSTEIN  
S. EDWARD SARSKAS  
108 Norwich Avenue  
Colchester, CT 06415  
Telephone: 860/537-3818

**Attorneys for the Archdiocese of Milwaukee  
Supporting Fund, Inc.**

LAW OFFICES OF JONATHAN D. McCUE  
JONATHAN D. McCUE  
4299 Avati Drive  
San Diego, CA 92117  
Telephone: 858/272-0454

**Attorneys for Imperial County Board of  
Retirement**

CUNEO WALDMAN & GILBERT, LLP  
JONATHAN W. CUNEO  
MICHAEL G. LENETT  
317 Massachusetts Avenue, N.E.  
Suite 300  
Washington, D.C. 20002  
Telephone: 202/789-3960

**Washington Counsel**

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# CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing LEAD PLAINTIFF'S OPPOSITION TO CONSECO'S CROSS MOTION FOR LEAVE TO GIVE NOTICE TO PURCHASERS OF YOSEMITE II, STERLING AND EURO CITIGROUP CLNS (DOCKET NO. 2173) document has been served by sending a copy via electronic mail to [serve@ESL3624.com](mailto:serve@ESL3624.com) on this June 14, 2004

I further certify that a copy of the foregoing LEAD PLAINTIFF'S OPPOSITION TO CONSECO'S CROSS MOTION FOR LEAVE TO GIVE NOTICE TO PURCHASERS OF YOSEMITE II, STERLING AND EURO CITIGROUP CLNS (DOCKET NO. 2173) document has been served via overnight mail on the following parties, who do not accept service by electronic mail on this June 14, 2004.

Carolyn S. Schwartz  
United States Trustee, Region 2  
33 Whitehall Street, 21st Floor  
New York, NY 10004



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Mo Maloney